

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 17-18174**
Ida L. Johnson : **Chapter 13**
: **Judge Jean K. FitzSimon**
Debtor(s). : *********

OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

Now comes LSF9 Master Participation Trust ("Creditor"), by and through its mortgage servicing agent Caliber Home Loans, Inc., by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 7534 Gilbert Street, Philadelphia, PA 19150.
2. Debtor's Plan fails to address that the note underlying Creditor's mortgage lien has matured. Creditor requests that Debtor's Plan be amended to provide for Creditor's total debt claim to be paid through the plan. Creditor's mortgage lien has a current payoff amount of approximately \$23,051.88. Creditor further requests that Debtor's Plan include a provision requiring Debtor to obtain a payoff quote from Creditor before the last payment under the note is made to ensure the total amount of the loan is paid in full.
3. Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)

Kimberly A. Bonner (89705)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is kvelter@manleydeas.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 17-18174**
Ida L. Johnson : **Chapter 13**
: **Judge Jean K. FitzSimon**
Debtor(s). : *********

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, Office of the U.S. Trustee, 833 Chestnut Street, Suite 500,
Philadelphia, PA 19107

Frederick L. Reigle, Chapter 13 Trustee, Chapter 13 Trustee, 2901 St. Lawrence Ave.,
Reading, PA 19606

Michael A. Cibik, Attorney for Ida L. Johnson, 1500 Walnut Street, Suite 900, Philadelphia,
PA 19102, ecf@ccpclaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 23, 2018:

Ida L. Johnson and Esther Hale, 7534 Gilbert Street, Philadelphia, PA 19150

DATE: 1/23/18

/s/ Karina Velter
Karina Velter, Esquire (94781)
Kimberly A. Bonner (89705)
Adam B. Hall (323867)
Sarah E. Barngrover (323972)
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-220-5611
Fax: 614-627-8181
Attorneys for Creditor
The case attorney for this file is Karina Velter.
Contact email is kvelter@manleydeas.com